



**[4310-4J-P]**

## **DEPARTMENT OF THE INTERIOR**

### **Bureau of Indian Affairs**

#### **Renewal of Agency Information Collection for the Tribal Reassumption of Jurisdiction Over Child Custody Proceedings**

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Notice of request for comments.

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**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995, the Bureau of Indian Affairs (BIA) is seeking comments on renewal of Office of Management and Budget (OMB) approval for the collection of information for the Tribal Reassumption of Jurisdiction over Child Custody Proceedings, authorized by OMB Control Number 1076-0112. This information collection expires September 30, 2012.

**DATE:** Submit comments on or before [Insert date 60 days after date of publication in the FEDERAL REGISTER].

**ADDRESSES:** You may submit comments on the information collection to Sue Settles, Chief, Division of Human Services, Office of Indian Services, Bureau of Indian Affairs, U.S. Department of the Interior, 1849 C Street, NW, Mailstop 4513 MIB, Washington, DC 20240, or fax to (202) 208-2648, or e-mail: [Sue.Settles@bia.gov](mailto:Sue.Settles@bia.gov).

**FOR FURTHER INFORMATION CONTACT:** Sue Settles, (202) 513-7621.

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Abstract**

The Department has issued regulations at 25 CFR Part 13 prescribing procedures by which an Indian tribe that occupies a reservation over which a state asserts any jurisdiction pursuant to federal law may reassume jurisdiction over Indian child proceedings as authorized by the Indian Child Welfare Act, Public Law 95-608, 92 Stat. 3069, 25 U.S.C. 1918.

## **II. Request for Comments**

The BIA requests your comments on this collection concerning: (a) The necessity of this information collection for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) The accuracy of the agency's estimate of the burden (hours and cost) of the collection of information, including the validity of the methodology and assumptions used; (c) Ways we could enhance the quality, utility, and clarity of the information to be collected; and (d) Ways we could minimize the burden of the collection of the information on the respondents, such as through the use of automated collection techniques or other forms of information technology.

Please note that an agency may not conduct or sponsor, and an individual need not respond to, a collection of information unless it has a valid OMB Control Number.

It is our policy to make all comments available to the public for review at the location listed in the ADDRESSES section. Before including your address, phone number, e-mail address or other personally identifiable information, be advised that your entire comment – including your personally identifiable information – may be made public at any time. While you may request that we withhold your personally identifiable information, we cannot guarantee that we will be able to do so.

### **III. Data**

OMB Control Number: 1076-0112.

Title: Tribal Reassumption of Jurisdiction over Child Custody Proceedings, 25 CFR 13.

Brief Description of Collection: The collection of information will ensure that the provisions of Public Law 95-608 are met. Any Indian Tribe that became subject to State jurisdiction pursuant to the provisions of the Act of August 15, 1953 (67 Stat. 588), as amended by title IV of the Act of April 11, 1968 (82 Stat. 73,78), or pursuant to any other Federal law, may reassume jurisdiction over child custody proceedings. The collection of information provides data that will be used in considering the petition and feasibility of the plan of the Tribe for reassumption of jurisdiction over Indian child custody proceedings. We collect the following information: full name, address, and telephone number of petitioning Tribe or Tribes; a Tribal resolution; estimated total number of members in the petitioning Tribe of Tribes with an explanation of how the number was estimated; current criteria for Tribal membership; citation to provision in Tribal constitution authorizing the Tribal governing body to exercise jurisdiction over Indian child custody matter; description of Tribal court; copy of any Tribal ordinances or Tribal court rules establishing procedures or rules for exercise of jurisdiction over child custody matters; and all other information required by 25 CFR 13.11. Response is required to obtain or retain a benefit.

Type of Review: Extension without change of a currently approved collection.

Respondents: Federally recognized Tribes who submit Tribal reassumption petitions for review and approval by the Secretary of the Interior.

Frequency of Response: Annually.

Number of Respondents: 2.

Estimated Time per Response: 8 hours.

Estimated Total Annual Hour Burden: 16 hours.

Dated: May 5, 2012

Alvin Foster  
Assistant Director for Information Resources

[FR Doc. 2012-11266 Filed 05/09/2012 at 8:45 am; Publication Date: 05/10/2012]